

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TOYOTA MOTOR CREDIT CORP.	:	Case No. 5-16-00577
Movant	:	
v.	:	Chapter 13
	:	
STEVEN G. MERCER	:	
Debtor	:	
and	:	
Charles J. DeHart, III	:	
Chapter 13 Trustee	:	
	:	
	:	

**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY AND CO-DEBTOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

AND NOW COMES, Steven G. Mercer, by and through undersigned counsel, and files an Answer to Toyota Motor Credit Corp's Motion for Relief From the Automatic Stay:

1. Steven G. Mercer, (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Charles J. DeHart, III, Esq. was appointed the Chapter 13 Trustee.
3. Under the Chapter 13 Plan, Debtor is to make regular monthly payments to the Movant outside of the Plan.
4. Movant alleges that Debtor has failed to make monthly car loan payments.
5. Debtor believes all payments have been made to the Movant and the account is current. Debtor is in the process of obtaining proof of all payments made.
6. In the event that there remains a default, the Debtors wish to enter into a Stipulation to cure the arrears over a six month period.

7. Movant is not entitled to relief from the automatic stay as there is equity in the property encumbered by Movant's security interest, arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: March 26, 2017

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID# 59887
381 N. 9th Street
Scranton, PA 18504
(570) 347-7764

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 26, 2017, he caused a true and correct copy of Debtor's Answer to Toyota Motor Credit Corp. Motion for Relief from the Automatic Stay to be served via electronic filing to the CM/ECF participant at the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

James C. Warmbrodt, Esq. at Jwarmbrodt@kmlawgroup.com

Date: March 26, 2017

- /s/Tullio DeLuca
Tullio DeLuca, Esq.